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September 6, 2024

VIA ECF

Honorable Marian W. Payson
United States Magistrate
2330 United States Courthouse
100 State Street
Rochester, New York 14614

Re: *Fetzner v Town of Gates, et al.*
23-cv-6229 (DGL)(MWP)

Dear Judge Payson:

I write on behalf of all parties in the above-referenced case to jointly request a six-month extension of all deadlines in the Amended Scheduling Order (ECF No. 22). This extension is necessary due to delays in discovery.

Basis for the Request

The parties have been working together diligently to complete discovery. All parties have responded to each other's initial document discovery requests. However, discovery in this case has been delayed in part due to the transition of counsel for the Town of Gates. The Town's original attorney left the firm and was replaced by Mr. Bernstein, which delayed the Gates Defendants' discovery responses until July 17, 2024. Furthermore, Plaintiff's counsel was on trial during the first week of August, and various summer vacation schedules prevented the parties from completing necessary follow-up document demands and depositions.

While the parties have exchanged a significant portion of document discovery, additional documents remain outstanding. Notably, Plaintiff continues to receive medical treatment, and some updated medical records are necessary before conducting his deposition. Following that, the parties estimate approximately 8 to 10 depositions are needed to complete discovery.

For these reasons, the parties respectfully request an extension of six months to ensure all necessary discovery, including depositions, can be completed.

Proposed New Deadlines

The current deadlines and the proposed extensions are as follows:

Deadline	Current Date	Proposed New Date
Fact Discovery Completion	September 6, 2024	March 6, 2025
Motions to Compel	August 6, 2024	February 6, 2025
Plaintiff's Expert Disclosures	October 24, 2024	April 24, 2025
Defendant's Expert Disclosures	December 2, 2024	June 2, 2025
Expert Discovery Completion	December 30, 2024	June 30, 2025
Dispositive Motions	February 13, 2025	August 13, 2025

We believe that these revised deadlines will allow the parties sufficient time to complete discovery and prepare the case for trial.

Thank you for your consideration of this joint request. Should the Court have any questions, please do not hesitate to contact me.

Respectfully Submitted,

~//s//~

Elliot Dolby Shields

cc: All Parties (via email)

The joint letter motion (**Docket # 23**) is **GRANTED**.
The deadlines shall be extended as proposed herein.
IT IS SO ORDERED.

s/Marian W. Payson
Hon. Marian W. Payson
United States Magistrate Judge

Dated: September 9, 2024